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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,634	04/02/2004	Michael Jay Nelson	34000/007	1048
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EXAMINER LAEKEMARIAM, YOSEF K				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/816,634

**Applicant(s)**

NELSON ET AL.

**Examiner**

YOSEF K. LAEKEMARIAM

**Art Unit**

2614

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 April 2004.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-97 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-97 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 02 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO/CIS)  
Paper No(s)/Mail Date 04/02/2004  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-97 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gentillin et al. (US 6,600,812) in view of McCalmont et al. (US 6,771,742).

Regarding claims 1 and 36, Gentillin discloses a communication network for rotating media channels between resources of an emergency services network and conforming emergency systems (Col.1 lines 11-17 and Fig.4), the communication network comprising a conforming emergency system (CES) connected to a transport network (Col.10 lines 1-24 and Fig.3, 3001, 300b,400); and a plurality of resources of an emergency services network connected to the transport network (Col.6 lines 21-40 and Fig.3), wherein the CES and one of the resources dynamically establish a first media channel between one another over the transport network, and exchange messages over the first media channel (Fig.4, 440) to facilitate the CES in handling emergency events (Col.3 lines 21-59, Col.6 lines 33-40 and Fig.3);

Gentillin discloses the invention set forth above except for the claimed “responsive to a triggering event, the CES and one of the resources dynamically establish a second media channel between one another over the transport network, and exchange messages over the second media channel to facilitate the CES in handling emergency events”

McCalmont discloses that it is well known to have wherein responsive to a triggering event, the CES and one of the resources dynamically establish a second media channel between one another over the transport network, and exchange messages over the second media channel to facilitate the CES in handling emergency events (Col.11 lines 32-67 and fig.2, 240).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Gentillin, and modify the CES and one of the resources to dynamically establish a second media channel between one another over the transport network, and exchange messages over the second media channel to facilitate the CES in handling emergency events, as disclosed by McCalmont, thus allowing more efficient method to respond to a triggering event so that the CES and one of the resources exchange message over a media channel, as discussed by McCalmont (Col.11 lines 32-67).

Regarding claims 71 and 85, Gentillin discloses a conforming emergency system (CES) that rotates media channels with resources of an emergency services network (Fig.4), the CES comprising a channel system that dynamically establishes a first media channel with one of the resources of the emergency services network (Col.5 lines 50-67 and Fig.4, 440); and a message system, responsive to the first media channel being established, that exchanges messages over the first media channel with the one resource for the first media channel to facilitate the CES in handling emergency events (Col.6 lines 47-61; Gentillin discloses communication channel 440, i.e. media channel);

Gentillin discloses the invention set forth above except for the claimed “responsive to a triggering event, dynamically establishes a second media channel with one of the resources of the emergency services network; the message system, responsive to the second media channel

being established, exchanges messages over the second media channel with the one resource for the second media channel to facilitate the CES in handling emergency events”

McCalmont discloses that in response to a triggering event, dynamically establishing a second media channel with one of the resources of the emergency services network; the message system, responsive to the second media channel being established, exchanges messages over the second media channel with the one resource for the second media channel to facilitate the CES in handling emergency events (Col.11 lines 32-67 and fig.2, 240).

Considering claims 2 and 37, McCalmont further discloses a method wherein the one resource for the first media channel and the one resource for the second media channel comprise the same resource (Fig.2, 224, 240, and 268).

Considering claims 3 and 38, Gentillin and McCalmont together disclose the communication network of claims 1 and 36. McCalmont further discloses a method wherein the one resource for the first media channel and the one resource for the second media channel comprise a different resource (Fig.2, 224, 264, 240, and 268).

Considering claims 4, 39, 73, and 87, Gentillin and McCalmont together disclose the communication network conforming emergency system. McCalmont further discloses a method wherein at least one of the CES and the one resource for the first media channel tears down the first media channel after the second media channel is established (Col.11 lines 32-67 and fig.2, 240).

Considering claims 5, 40, 74, and 88, Gentillin and McCalmont together disclose the communication network conforming emergency system. McCalmont further discloses a method wherein at least one of the CES and the one resource for the first media channel tears down the

first media channel simultaneously as the second media channel is established (Col.12 lines 14-31).

Considering claims 6, 41, 75, and 89, Gentillin and McCalmont together disclose the communication network conforming emergency system. Gentillin further discloses a method wherein: at least one of the CES and the one resource for the first media channel tears down the first media channel before the second media channel is established (Col.16 lines 1-7 and Col.9 lines 1-19 and Fig.2, 212).

Considering claims 7, 42, 76, and 90, Gentillin and McCalmont together disclose the communication network conforming emergency system. McCalmont further discloses a method wherein: at least one of the CES and the one resource for the first media channel tears down the first media channel after message sessions on the first media channel have ended (Col.16 lines 8-30).

Considering claims 8, 43, 77, and 91 Gentillin and McCalmont together disclose the communication network conforming emergency system. Gentillin further discloses a method wherein at least one of the CES and the one resource for the first media channel rolls message sessions on the first media channel to the second media channel before tearing down the first media channel (Fig.4, 440).

Considering claims 9, 44, 78, and 92, Gentillin and McCalmont together disclose the communication network conforming emergency system. Gentillin further discloses a method wherein the triggering event comprises a time period elapsing (Col.4 lines 30-34; Gentillin discloses time-critical emergency response data, i.e. triggering event comprises a time period elapsing).

Considering claims 10, 45, 79, and 93, Gentillin and McCalmont together disclose the communication network conforming emergency system. Gentillin further discloses a method wherein the triggering event comprises a request from the CES, the one resource for the first media channel, the one resource for the second media channel, or another system (Col.5 lines 50-63 and Fig.3).

Considering claims 11, 46, 80, and 94, Gentillin and McCalmont together disclose the communication network conforming emergency system. Gentillin further discloses a method wherein the triggering event comprises the CES receiving a new emergency event (Col.6 lines 16-32; Gentillin discloses emergency data, i.e. a triggering event).

Considering claims 12, 22, 47, and 57, Gentillin and McCalmont together disclose the communication network conforming emergency system. Gentillin further discloses a method wherein: the CES transmits a first request message for the first media channel to the transport network; the one resource for the first media channel receives the first request message, and responds to the first request message to dynamically establish the first media channel between the CES and the one resource for the first media channel (Col.7 lines 18-25 and Col.9 lines 16-38); responsive to the triggering event, the CES transmits a second request message for the second media channel to the transport network; and the one resource for the second media channel receives the second request message, and responds to the second request message to dynamically establish the second media channel between the CES and the one resource for the second media channel (Col.6 lines 43-61 and fig.4).

Considering claims 13 and 48, Gentillin and McCalmont together disclose the communication network of claims 12 and 47. Gentillin further discloses a method wherein: the

one resource for the first media channel responds to the first request message by transmitting a response message indicating an acceptance of the first media channel to the transport network; and the CES receives the response message over the transport network and initiates a process to dynamically establish the first media channel (Col.8 lines 46-53).

Considering claims 14 and 49, Gentillin and McCalmont together disclose the communication network of claims 12 and 47, Gentillin further discloses a method wherein: the one resource for the first media channel responds to the first request message by initiating a process to dynamically establish the first media channel (Col.8 lines 46-53 and fig.4, 440).

Considering claims 15 and 50, Gentillin and McCalmont together disclose the communication network of claim 12. Gentillin further discloses a channel setup system connected to the transport network, the channel setup system receives the first request message from the CES, selects the one resource for the first media channel, and transmits the first request message to the one resource for the first media channel (Col.8 lines 10-30).

Considering claims 16 and 51, Gentillin and McCalmont together disclose the communication network of claim 15. Gentillin further discloses a method wherein: the channel setup system selects the one resource for the first media channel by identifying the availability of each of the resources in the emergency services network (Col.3 lines 16-18; Gentillin discloses providing enhanced emergency response data, i.e. available resource data for emergency service network) .

Considering claims 17 and 52, Gentillin and McCalmont together disclose the communication network of claim 15. Gentillin further discloses a method wherein: the channel setup system includes a data structure that stores information on the plurality of resources, the



channel setup system accesses the information in the data structure to select the one resource for the first media channel (Col.4 lines 60-67, Col.5 lines 1-7 and Fig.3, 300a, 300b).

Considering claims 18 and 53, Gentillin and McCalmont together disclose the communication network of claim 17. Gentillin further discloses a method wherein the information in the data structure includes at least one of a capacity or current load of each of the plurality of resources, an operational status of each of the plurality of resources, a number of media channels established with each of the plurality of resources, security, a location of each resource, data connectivity speed of each resource, the type of protocol used by each resource, and the type of each resource (Col.3 lines 4-31).

Considering claims 19, 26, 54, and 61, Gentillin and McCalmont together disclose the communication network conforming emergency system. McCalmont further discloses a method wherein the channel setup system comprises a Session Initiation Protocol (SIP) proxy or a SIP server (Col.16 lines 8-20).

Considering claims 20 and 55, Gentillin and McCalmont together disclose the communication network conforming emergency system. Gentillin further discloses a method wherein: the one resource for the first media channel responds to the first request message by transmitting a response message indicating an acceptance of the first media channel to the channel setup system; and the channel setup system transmits the response message to the CES (Col.9 lines 16-38).

Considering claims 21 and 56, Gentillin and McCalmont together disclose the communication network conforming emergency system. Gentillin further discloses a method wherein: the one resource for the first media channel responds to the first request message by

transmitting a response message indicating an acceptance of the first media channel to the CES (Col.9 lines 16-24).

Considering claims 23, 27-28, 58, and 62-63, Gentillin and McCalmont together disclose the communication network conforming emergency system. Gentillin further discloses a method wherein: the CES responds to the first request message by transmitting a response message indicating an acceptance of the first media channel to the transport network; and the one resource for the first media channel receives the response message over the transport network and initiates a process to dynamically establish the first media channel (Col.9 lines 15-27 and Col.4 lines 43-52).

Considering claims 24 and 59, Gentillin and McCalmont together disclose the communication network conforming emergency system. Gentillin further discloses a method wherein: the CES responds to the first request message by initiating a process to dynamically establish the first media channel (Col.9 lines 15-27).

Considering claims 25 and 60, Gentillin and McCalmont together disclose, the communication network of claims 22 and 57. McCalmont further discloses a method comprising: a channel setup system connected to the transport network (Fig.3, 308, 312), the channel setup system receives the first request message from the one resource for the first media channel, and transmits the first request message to the CES (Fig.3, 312, 316).

Considering claims 29, 64, 82, 83, and 96, Gentillin and McCalmont together disclose the communication network conforming emergency system. McCalmont further discloses a method wherein the CES and the one resource for the first media channel use Session Initiation Protocol (SIP) to dynamically establish the first media channel (Col.16 lines 8-20).

Considering claims 30 and 65, Gentillin and McCalmont together disclose the communication network of claims 1 and 36. McCalmont further discloses a method wherein the plurality of resources includes a response gateway (Fig.2; 240, 236).

Considering claims 31 and 66, Gentillin and McCalmont together disclose the communication network of claims 1 and 36. McCalmont further discloses a method wherein the plurality of resources includes at least one of an ALI database, a Mobile Positioning Center (MPC), a Gateway Mobile Location Center (GMLC), an Emergency Auxiliary Service Provider (EASP), and a Voice over Internet Protocol (VoIP) server (Fig.2).

Considering claims 32 and 67, Gentillin and McCalmont together disclose the communication network of claims 1 and 36. McCalmont further discloses a method wherein the emergency events include 9-1-1 calls (Col15 lines 7-15).

Considering claims 33 and 68, Gentillin and McCalmont together disclose the communication network of claims 1 and 36. McCalmont further discloses a method wherein the CES exchanges at least one of streaming video, streaming audio, graphics data, voice, text or binary data, and executable instructions or scripts over the first media channel (Col.6 lines 42-61).

Considering claims 34 and 69, Gentillin and McCalmont together disclose the communication network of claims 1 and 36. McCalmont further discloses a method wherein the CES comprises a computer system for a Public Safety Answering Point (PSAP) (Col.2 lines 19-30).

Considering claims 35 and 70, Gentillin and McCalmont together disclose the communication network of claims 1 and 36. McCalmont further discloses a method wherein the

CES comprises a computer system for one of a hospital, a police department, a fire station, a fire alarm company, a security company, an ambulance service, a state 9-1-1 coordinator, the Federal Emergency Management Agency (FEMA), the Department of Homeland Security, the National Geophysical Data Center, or the Center for Disease Control (CDC) (Col.3 lines 47-57 and Col.4 lines 1-5).

Considering claims 72 and 86, Gentillin and McCalmont together disclose the CES of claims 71 and 85. McCalmont further discloses a method wherein the channel system dynamically establishes the first media channel by transmitting a first request message for a first media channel to a transport network, and initiating a process to dynamically establish the first media channel between the CES and the one resource for the first media channel responsive to receiving a first response message from the one resource for the first media channel over the transport network (Col.9 lines 16-25 and Fig.3).

Considering claims 81 and 95, Gentillin and McCalmont together disclose the CES of claims 71 and 85. McCalmont further discloses a method wherein: the channel system negotiates parameters of the first media channel before the first media channel is established (Fig.3, 320, 324).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YOSEF K. LAEKEMARIAM whose telephone number is (571) 270-5149. The examiner can normally be reached on Regular hours 8:30am-5:30pm M - F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, AHMAD MATAR can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/YOSEF K LAEKEMARIAM/  
Examiner, Art Unit 2614  
07-01-2008

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